APR 0 6 2006

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/653,102-Conf. #4063
Filing Date	August 31, 2000
First Named Inventor	Mark A. Nordlicht
Art Unit	3624
Examiner Name	R. C. Weisberger

Total Number of Pages in This Submission		Attorney Docket Number	04117/000K528-US0

ENCLOSURES (*Check all that apply*)

[X] Fee Transmittal Form
   [X] Fee Attached
[X] Amendment/Reply
   [ ] After Final
   [ ] Affidavits/declaration(s)
[X] Extension of Time Request
[ ] Express Abandonment Request
[ ] Information Disclosure Statement
[ ] Certified Copy of Priority Document(s)
[ ] Reply to Missing Parts/ Incomplete Application
   [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53

[ ] Drawing(s)
[ ] Licensing-related Papers
[ ] Petition
[ ] Petition to Convert to a Provisional Application
[ ] Power of Attorney, Revocation Change of Correspondence Address
[ ] Terminal Disclaimer
[ ] Request for Refund
[ ] CD, Number of CD(s) _____
   [ ] Landscape Table on CD

[ ] After Allowance Communication to TC
[ ] Appeal Communication to Board of Appeals and Interferences
[ ] Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
[ ] Proprietary Information
[ ] Status Letter
[X] Other Enclosure(s) (please Identify below):

Return Receipt Postcard
Fee Summary Sheet

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.
Signature	
Printed name	Louis J. Del Giudice
Date	April 6, 2006	Reg. No.	47,522
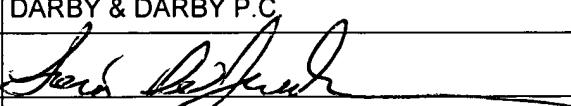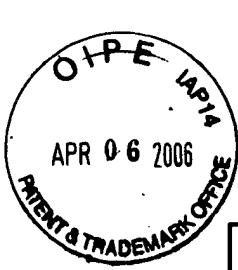
APR 06 2006 (stamp: O I P E / AP14 / PATENT & TRADEMARK OFFICE)

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).	**Complete if Known**	
# FEE TRANSMITTAL # For FY 2006	Application Number	09/653,102-Conf. #4063
	Filing Date	August 31, 2000
	First Named Inventor	Mark A. Nordlicht
	Examiner Name	R. C. Weisberger
[X] Applicant claims small entity status. See 37 CFR 1.27	Art Unit	3624
TOTAL AMOUNT OF PAYMENT ($) $795.00	Attorney Docket No.	04117/000K528-US0

METHOD OF PAYMENT (check all that apply)

[X] Check [ ] Credit Card [ ] Money Order [ ] None [ ] Other (please identify): _____

[ ] Deposit Account   Deposit Account Number: 04-0100   Deposit Account Name: Darby & Darby P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

[ ] Charge fee(s) indicated below

[X] Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17

[ ] Charge fee(s) indicated below, **except for the filing fee**

[X] Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	**Fee ($)**	**Fee ($)**	**Fee ($)**	**Fee ($)**	**Fee ($)**	**Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)	Multiple Dependent Claims	
				Fee ($)	Fee Paid ($)
_____ - = _____ x _____ = _____					
HP = highest numer of total claims paid for, if greater than 20.				_____	_____

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - = _____ x _____ = _____			
HP = highest numer of independent claims paid for, if greater than 3.			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 = _____	/50 _____	(round up to a whole number) x	_____ =	_____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2255 Extension for response within fourth month	$795.00

SUBMITTED BY				
Signature	*(signature)*	Registration No. (Attorney/Agent)	47,522	Telephone (212) 527-7791
Name (Print/Type)	Louis J. DelJudice		Date	April 6, 2006

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Application No. (if known): 09/653,102   Attorney Docket No.: 04117/000K528-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EV 762808247 US** in an envelope addressed to:

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on   April 6, 2006
         Date
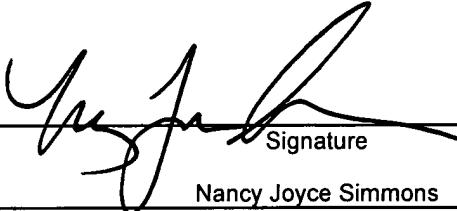
_____
Signature

Nancy Joyce Simmons
Typed or printed name of person signing Certificate

_____   212-527-7700
Registration Number, if applicable   Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

        Four Month Request for Extension of Time
           Under 37 CFR 1.136(a) (1 page)
        Transmittal Letter (PTO SB 21) (1 page)
        Fee Transmittal Sheet (1 page); Fee Summary Sheet (1 page)
        Response to Office Communication Under 37 C.F.R. § 1.105 (4 pages)
        Check No.:___11655___ in the amount of $795.00
        Return Postcard

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark A. Nordlicht et al.

Application No.: 09/653,102	Confirmation No.: 4063
Filed: August 31, 2000	Art Unit: 3624
For: SYSTEM AND METHOD FOR REAL-TIME OPTIONS TRADING OVER A COMPUTER NETWORK	Examiner: R. C. Weisberger

RESPONSE TO OFFICE COMMUNICATION UNDER 37 CFR § 1.105

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants herewith file a response to the Office Communication dated October 6, 2005 (Paper No. 09052005). The Examiner has requested Applicants to provide answers to the following interrogatories:

Question A: Name the real party of interest (the assignee) of this application.

Answer A: The name of the real party of interest is Optionable, Inc., the assignee of the present application.

Question B: Is the assignee familiar with the designation independent software provider (ISV)?

Answer B: Yes, the Assignee is familiar with the designation Independent Software Provider (ISV). However, ISV has a particular meaning in the financial trading software art and is typically limited to providers of front end GUIs for back end trading platforms.

Question C: Does the assignee market itself as an ISV?

Answer C: No, the Assignee does not market itself as an ISV. Assignee markets itself as a provider of both a front end and back end trading platform.

Question D: Is the assignee familiar with the term front end trading platform?

Answer D: Yes, the Assignee is familiar with the term front end trading platform.

Question E: Does the assignee product [sic "produce"] and/or market front end trading platforms?

Answer E: Yes, the Assignee produces and/or markets a front end trading platform as part of a total system that includes both a front end and a back end trading platform.

Question F(a): Does the applicant use and/or market a front end application that is certified with the Chicago Board of Trade or other options exchange(s)?

Answer F(a): No, the Assignee does not use and/or market a front end application that is certified with the Chicago Board of Trade or any other options exchanges. However, the Assignee is authorized to submit trades submitted and matched on the assignee's

back end system to the New York Mercantile Exchange (NYMEX) for consummation.

Question F(b): If yes, under what name is the application known?

Answer F(b): The application is known as OPEX.

Question G(a): Does the applicant use and/or market a ISV that is certified with the Chicago Board of Trade or other options exchange(s)?

Answer G(a): No, the Assignee does not use and/or market an ISV that is certified with the Chicago Board of Trade or any other options exchanges. As defined above, the Assignee markets a system that is both a front end and back end trading platform. That system can submit trades submitted and matched on the system to the New York Mercantile Exchange (NYMEX) for consummation.

Question G(b): If so, under what name is the ISV known?

Answer G(b): N/A

Question H: Is assignee aware of an ISV or front end trading platform that includes the features as described in any of the independent claims?

Answer H: The Assignee is generally aware of certain front end platforms that have some of the elements of the independent claims. A general, non-inclusive list of the front end platforms and/or the ISV that provides such platforms includes ProOpticus,

OptionsXpress.com, Interactive Broker and Cybertrader.com. Certain elements in the independent claims of the invention are performed by back end trading platforms, one of which may be Intercontinental Exchange.

Question I(a): Has the assignee marketed an ISV or front end trading platform that includes the features as described in any of the independent claims?
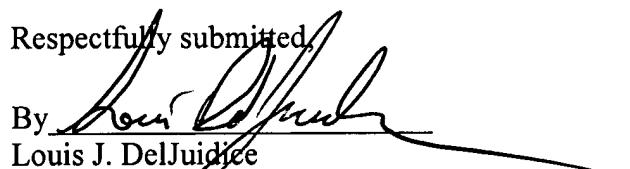
Answer I(a): Yes, the Assignee has marketed a front end trading platform combined with a back end trading platform that includes the features described in one or more of the independent claims.

Question I(b): If so, what is the name of the system?

Answer I(b): The name of the system is OPEX.

Dated: April 6, 2006

Respectfully submitted,

By _____
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